

JOSEPH P. RUSSONIELLO, CSBN 44332
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 Assistant United States Attorney

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450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7124
 FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

BIN LI,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EMILIO T. GONZALEZ, Director of the
 U.S. Citizenship and Immigration Services;
 ROBERT S. MUELLER, Director of
 Federal Bureau of Investigation,

Defendants.

No. C 07-5564 HRL

**PARTIES' JOINT REQUEST TO BE
 EXEMPT FROM FORMAL ADR
 PROCESS**

AND ORDER

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to plaintiff's request that this Court compel defendants to adjudicate the application for adjustment of status. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax

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1 court resources.

2 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the
3 ADR Multi-Option Program and that they be excused from participating in the ADR phone
4 conference and any further formal ADR process.

5 Dated: January 25, 2008

Respectfully submitted,

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 /s/
9 ILA C. DEISS¹
10 Assistant United States Attorney
11 Attorneys for Defendants

12 Dated: January 25, 2008

13 /s/
14 JUSTIN FOK
15 Attorney for Plaintiff

16 **ORDER**

17 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the
18 ADR Multi-Option Program and are excused from participating in the ADR phone conference and
19 any further formal ADR process.

20 **SO ORDERED.**

21 Dated: February 13, 2008

22 
23 HOWARD T. LLOYD
24 United States Magistrate Judge

25
26
27 ¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures
28 indicated by a "conformed" signature (/s/) within this efiled document.